

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE  
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

MICHAEL T. RAND, )  
                        )  
Plaintiff,           ) CIVIL ACTION NO.  
                        )  
v.                    ) 2:20cv783-MHT  
                        ) (WO)  
DEMETRIUS SANDERS, et al., )  
                        )  
Defendants.           )

JUDGMENT

In accordance with the memorandum opinion entered today, it is the ORDER, JUDGMENT, and DECREE of the court as follows:

(1) The United States Magistrate Judge's recommendation (Doc. 63) is adopted.

(2) The defendants' motions to dismiss (Doc. 27 and Doc. 51) are granted to the extent defendants seek dismissal of plaintiff's *Bivens* action due to his failure to properly exhaust an administrative remedy available to him before initiating this civil action.

(3) Plaintiff's *Bivens* action is dismissed with prejudice under 42 U.S.C. § 1997e(a) for his failure to

properly exhaust an administrative remedy previously available to him.

(4) Defendants' motions to dismiss plaintiff's petition for writ of habeas corpus under 28 U.S.C. § 2241 (Doc. 27 and Doc. 51) are granted.

(5) Plaintiff's petition for writ of habeas corpus under 28 U.S.C. § 2241 is dismissed.

It is further ORDERED that costs are taxed against plaintiff, for which execution may issue.

The clerk of the court is DIRECTED to enter this document on the civil docket as a final judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure.

This case is closed.

DONE, this the 29th day of August, 2023.

/s/ Myron H. Thompson  
UNITED STATES DISTRICT JUDGE